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Attorney for Plaintiff Thomas Mooney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THOMAS MOONEY,

Plaintiff,

v.

FIFE DERMATOLOGY, PC, d/b/a  
SURGICAL DERMATOLOGY & LASER  
CENTER; DOUGLAS FIFE, M.D.; and  
HEATHER FIFE,

Defendants.

CASE NO. 2:17-cv-02191-JCM-DJA

**STIPULATION AND ORDER TO  
EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT**

**(First Request)**

The parties, by and through their respective counsel, hereby stipulate to extend the time for Plaintiff to respond to Defendants' MOTION FOR SUMMARY JUDGMENT OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT (ECF No. 71) from the current due date of Friday, March 4, 2022 through and including **Monday, March 28, 2022.**

This is the first request for an extension of this deadline. The parties provide the following information to the Court regarding the proposed extension of time:

1. Plaintiff's counsel has been delayed in completing work over the past several weeks due to a busy litigation calendar. Plaintiff's counsel was out

1 of state when the Motion was filed and did not return until February 14,  
2 2022. On February 14, 2022 Plaintiff's counsel had oral argument before  
3 the Ninth Circuit Court of Appeals. That same day after that argument  
4 Plaintiff's counsel travelled to Elko, Nevada for six (6) depositions over  
5 three days from February 15-17, 2022. The following week was a short  
6 week due to President's Day. Plaintiff's counsel had an important deadline  
7 on February 22 in a discovery dispute before Magistrate Judge Denney and  
8 an all day mediation to prepare for and attend on February 24 with Retired  
9 Magistrate Judge Leen. Plaintiff's counsel then had to travel to Reno for  
10 an all day deposition on March 1 and all day depositions in Elko on March  
11 2 and 3.

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- 13
- 14 2. Plaintiff's counsel also will be leaving on March 4, 2022 for a long-planned
- 15 two week cruise vacation where he and his wife are celebrating their 25<sup>th</sup>
- 16 wedding anniversary. Plaintiff's counsel will have no time to work on the
- 17 response to Defendants' comprehensive motion seeking summary
- 18 judgment on all claims until at least March 21, 2022. That is why an
- 19 extension to March 28, 2022 is being sought.
- 20
- 21 3. The Parties have further agreed to an extension to the Reply deadline for
- 22 Defendants to April 18, 2022.
- 23
- 24 4. There are no other deadlines or proceedings with which this extension
- 25 would interfere.

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1 This stipulation to extend the Response and Reply deadlines on Defendants' Motion for  
2 Summary Judgment is made in good faith and not for purposes of delay.

3  
4 DATED this 3<sup>rd</sup> day of March, 2022.

DATED this 3<sup>rd</sup> day of March, 2022.

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6  
7 /s/ Hayley Cummings  
8 P. SWEN PRIOR, ESQ.  
9 HAYLEY CUMMINGS, ESQ,  
10 SNELL & WILMER  
11 3883 Howard Hughes Pkwy., #1100  
12 Las Vegas, NV 89169  
13 Attorney for Defendants

/s/ James P. Kemp  
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Attorney for Plaintiff

14 **ORDER**

15 IT IS SO ORDERED:

16   
17 UNITED STATES DISTRICT JUDGE

18 DATED: March 4, 2022  
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